

REMARKS

At the outset, Applicants wish to thank the Examiner for the courtesies extended in the telephone conversation of January 8, 2009 on this Application, concerning variable X in claim 9.

Claims 1-7, 9 and 12-14 are pending in this application. By this Amendment, claims 1, and 7 have been amended to recite that the variable M is a transition metal of Group 4, and to delete the moiety of OR'O from the definition of X. Claim 9 has been amended to recite that the variable M is a transition metal of Group 4, to correct the informality noted by the Examiner with respect to the term "alkaline or alkali-earth metal," and to recite that variable X is a halogen atom, an OSO_2CF_3 group or an OCOR group. Claim 3 has been amended to be consistent with claim 1. Entry and consideration of these amendments are respectfully requested in that they do not include new matter.

Claim Objections

In response to the objection to claim 9, appropriate correction has been made, as suggested by the Examiner. Reconsideration and withdrawal of the Objection respectfully is requested.

Claim Rejections

Rejections Under 35 U.S.C. § 112

A. Response to rejection of claims 1-7, 9, and 12-14 under 35 U.S.C. 112, second paragraph, as being indefinite.

In response to the rejection of claims 1-7, 9, and 12-14 under 35 U.S.C. 112, second paragraph, as being indefinite, Applicants have amended claims 1 and 7 to recite that the metal M is a group 4 metal, and to delete the OR'O moiety from the definition of the variable X. Applicants have amended claim 9 to recite that the metal M is a group 4 metal, and X is a halogen atom, an OSO_2CF_3 group or an OCOR group. Reconsideration and withdrawal of the Rejection respectfully is requested.

Double Patenting Rejections

Claims 1-7 and 12-14 have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims of copending Application Number 10/536,857. In response to the provisional rejection, Applicants have included with this Amendment a Terminal Disclaimer. Reconsideration and withdrawal of the rejection respectfully is requested.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have questions or comments regarding this application or this Amendment, Applicant's attorney would welcome the opportunity to discuss the case with the Examiner.

The Commissioner is hereby authorized to charge U.S. PTO Deposit Account 08-2336 in the amount of any fee required for consideration of this Amendment.

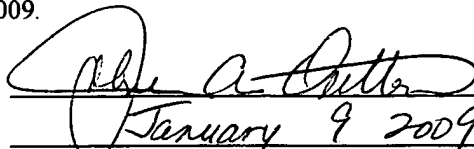
This is intended to be a complete response to the Office Action mailed July 10, 2008.

Respectfully submitted,



William R. Reid
Registration No. 47,894
Attorney for Applicant

I hereby certify that this correspondence is being deposited with sufficient postage thereon with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 9, 2009.


Date of Signature

Basell USA Inc.
Delaware Corporate Center II
2 Righter Parkway, Suite 300
Wilmington, DE 19803 USA
Attorney's Telephone No.: 302-683-8178
Attorney's Fax No.: 302-731-6408